

2015-2016 Regular Sessions

I N   A S S E M B L Y

January 7, 2015

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Introduced by M. of A. PRETLOW, MAYER -- read once and referred to the  
Committee on Codes

AN ACT to amend the penal law, in relation to assaults on department of  
sanitation workers and nursing professionals

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1     Section 1. Subdivisions 3 and 11 of section 120.05 of the penal law,  
2     as amended by chapter 196 of the laws of 2014, are amended to read as  
3     follows:  
4     3. With intent to prevent a peace officer, a police officer, prosecu-  
5     tor as defined in subdivision thirty-one of section 1.20 of the criminal  
6     procedure law, [registered] A NURSING PROFESSIONAL INCLUDING NURSE PRAC-  
7     TITIONER, CERTIFIED OR LICENSED nurse PRACTITIONERS, CERTIFIED NURSING  
8     ASSISTANTS AND, licensed practical [nurse] NURSES, sanitation enforce-  
9     ment agent, [New York city] sanitation worker, a firefighter, including  
10    a firefighter acting as a paramedic or emergency medical technician  
11    administering first aid in the course of performance of duty as such  
12    firefighter, an emergency medical service paramedic or emergency medical  
13    service technician, or medical or related personnel in a hospital emer-  
14    gency department, a city marshal, a school crossing guard appointed  
15    pursuant to section two hundred eight-a of the general municipal law, a  
16    traffic enforcement officer or traffic enforcement agent, from perform-  
17    ing a lawful duty, by means including releasing or failing to control an  
18    animal under circumstances evincing the actor's intent that the animal  
19    obstruct the lawful activity of such peace officer, police officer,  
20    prosecutor as defined in subdivision thirty-one of section 1.20 of the  
21    criminal procedure law, [registered nurse, licensed practical nurse]  
22    NURSING PROFESSIONAL, sanitation enforcement agent, [New York city]  
23    sanitation worker, firefighter, paramedic, technician, city marshal,  
24    school crossing guard appointed pursuant to section two hundred eight-a  
25    of the general municipal law, traffic enforcement officer or traffic

EXPLANATION--Matter in *ITALICS* (underscored) is new; matter in brackets  
[ ] is old law to be omitted.

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1 enforcement agent, he or she causes physical injury to such peace offi-  
2 cer, police officer, prosecutor as defined in subdivision thirty-one of  
3 section 1.20 of the criminal procedure law, [registered nurse, licensed  
4 practical nurse] NURSING PROFESSIONAL, sanitation enforcement agent,  
5 [New York city] sanitation worker, firefighter, paramedic, technician or  
6 medical or related personnel in a hospital emergency department, city  
7 marshal, school crossing guard, traffic enforcement officer or traffic  
8 enforcement agent; or

9 11. With intent to cause physical injury to a train operator, ticket  
10 inspector, conductor, signalperson, bus operator or station agent  
11 employed by any transit agency, authority or company, public or private,  
12 whose operation is authorized by New York state or any of its political  
13 subdivisions, a city marshal, a school crossing guard appointed pursuant  
14 to section two hundred eight-a of the general municipal law, a traffic  
15 enforcement officer, traffic enforcement agent, prosecutor as defined in  
16 subdivision thirty-one of section 1.20 of the criminal procedure law,  
17 sanitation enforcement agent, [New York city] sanitation worker, [regis-  
18 tered] A NURSING PROFESSIONAL INCLUDING nurse PRACTITIONERS, CERTIFIED  
19 or licensed practical [nurse] NURSES, he or she causes physical injury  
20 to such train operator, ticket inspector, conductor, signalperson, bus  
21 operator or station agent, city marshal, school crossing guard appointed  
22 pursuant to section two hundred eight-a of the general municipal law,  
23 traffic enforcement officer, traffic enforcement agent, prosecutor as  
24 defined in subdivision thirty-one of section 1.20 of the criminal proce-  
25 dure law, [registered nurse, licensed practical nurse] NURSING PROFES-  
26 SIONAL, sanitation enforcement agent or [New York city] sanitation work-  
27 er, while such employee is performing an assigned duty on, or directly  
28 related to, the operation of a train or bus, or such city marshal,  
29 school crossing guard, traffic enforcement officer, traffic enforcement  
30 agent, prosecutor as defined in subdivision thirty-one of section 1.20  
31 of the criminal procedure law, [registered nurse, licensed practical  
32 nurse] NURSING PROFESSIONAL, sanitation enforcement agent or [New York  
33 city] sanitation worker, is performing an assigned duty.

34 S 2. This act shall take effect on the ninetieth day after it shall  
35 have become a law.